

E-filed 1/17/08

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 07-00680 JF
12 Plaintiff,)
13 v.) **STIPULATION TO CONTINUE
14 HEARING AND EXCLUDE TIME;
15 [PROPOSED] ORDER**
16 Defendant.)

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Wednesday, January 16, 2008, be continued to Wednesday, February 13, 2008, at 9:00 a.m. The
20 continuance is requested because of ongoing defense investigation including obtaining records on
21 defendant's prior convictions.

22 The parties further agree that time should be excluded under the Speedy Trial Act from
23 January 16, 2008, to February 13, 2008, because the defense and the government require time for
24 continued investigation, and the ends of justice outweigh the defendant's and the public's need
25 for a speedy trial.

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STIPULATION TO CONTINUE
HEARING DATE; [PROPOSED] ORDER
No. CR 07-00408 JF

1 Dated: 01/15/08

/s/
LARA S. VENNARD
Assistant Federal Public Defender

2 Dated: 01/15/08

/s/
BENJAMIN KENNEDY
Assistant United States Attorney

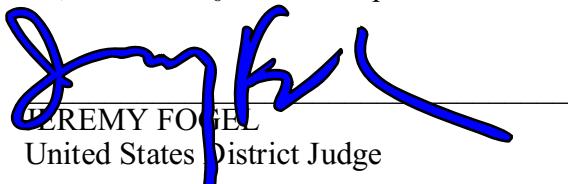
5 **ORDER**

6 The parties have jointly requested a continuance of the hearing set for January 16, 2008,
7 to allow time for continued defense investigation.

8 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
9 presently set for January 16, 2008, be continued to February 13, 2008, at 9:00 a.m.

10 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
11 from January 16, 2008, to February 13, 2008, shall be excluded from the period of time within
12 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14 Dated: 1/16/08



15 JEREMY FOGEL
United States District Judge